

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SEAN GUNNING, As Administrator of the Estate  
of RUTH SHARON PARKER-GUNNING,

Plaintiff,

v.

PRUDENTIAL INSURANCE COMPANY,

Defendant.

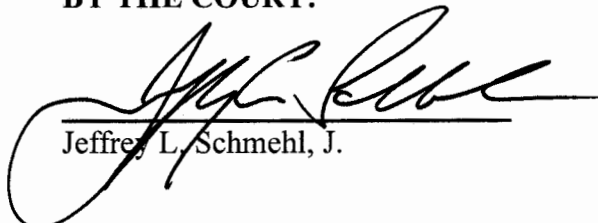
CIVIL ACTION  
NO. 13-3965

**ORDER**

AND NOW, this *2nd* day of October, 2013, upon consideration of Defendant's Motion to Dismiss and Memorandum of Law in support, as well as Plaintiff's response thereto, and upon consideration of Plaintiff's Motion to Amend, as well as Defendant's response thereto, it is hereby **ORDERED** as follows:

1. Defendant's Motion to Dismiss is **GRANTED** to the extent it seeks to dismiss Plaintiff's Complaint;
2. Plaintiff's Motion to Amend is **DENIED**; and
3. Plaintiff shall have twenty (20) days from the date of this order to file an amended complaint that sets forth any and all claims Plaintiff may have against Defendant pursuant to ERISA.

BY THE COURT:

  
Jeffrey L. Schmehl, J.